

REMARKS

I. Introduction

In response to the Office Action dated July 2, 2009, claims 1, 19, 21 23, 41, 43, 45, 63 and 65 have been amended. Claims 1-5, 8-10, 13-15, 17-19, 21-27, 30-32, 35-37, 39-41, 43-49, 52-54, 57-59, 61-63, 65 and 66 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Rejections under 35 U.S.C. §112

On page 2 of the Office Action, claims 19, 21, 41, 43, 63, and 65 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant's attorney has amended the claims as indicated above to overcome these rejections.

On pages 2-3 of the Office Action, claims 1-5, 8-10, 13-15, 17-19, 21-27, 30-32, 35-37, 39-41, 43-49, 52-54, 57-59, 61-63, 65 and 66 are rejected under 35 U.S.C. §112, sixth paragraph, as it is unclear whether the recited structure, material, or acts are sufficient for performing the claimed function which would preclude application of 35 U.S.C. §112, sixth paragraph.

Applicant's attorney has amended the claims as indicated above to overcome these rejections.

III. Statutory Subject Matter Rejections

On pages 3-4, the Office Action, claims 1-5, 8-10, 13-15, 17-19, 21-27, 30-32, 35-37, 39-41, 43-49, 52-54, 57-59, 61-63, 65 and 66 are rejected under 35 U.S.C. §101 because the claimed invention is not directed to a secondary statutory subject matter/class.

Applicant's attorney has amended the claims as indicated above to overcome these rejections. However, should issues still remain in this regard, Applicant's attorney requests that the Examiner indicate how the rejection can be overcome, in accordance with the directives of the Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility (Guidelines) II. See also M.P.E.P. §2106 at page 2100-5.

IV. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge all fees to Deposit Account No. 50-4370 of Teradata Corporation (the assignee of the present application).

Respectfully submitted,

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